

To Whom It May Concern:

Recently I read that I would be able to voice my opinion on the subject matter of the proposed merger between Sirius and XM Satellite radio. I feel that as a consumer, I would benefit greatly from the merger. My following points should clear up how a consumer feels which are unbiased because I'm not being paid by a lobbying group.

First, I am a paying customer of XM Radio. Before I decided to purchase my radio, I was listening to FM radio for free. After being completely frustrated with taking my 25 minute commute to work every morning and only hearing about 5 minutes of real music, the rest commercials; i decided it was time to look elsewhere for music entertainment. My final decision came down to satellite radio and the Apple Ipod. I decided to go with XM Radio largely to try it out since there are no contracts. I figured, if I don't like the service, I can cancel at any time. I felt relieved that for the first time, I had another option to listen to network type music rather than Terrestrial channels. I've watched them over the years add more and more commercials to the channels, largely (I think) due to the fact that before satellite radio, the consumer had no other option.

Secondly, I think the proposed merger between the two satellite radio providers should be allowed because it can be considered a luxury good. By competing with a free industry, the market will determine the price of goods. If for any reason after the companies merged, price went up; the consumer bears no contract, and at that point can cancel if they feel they are getting overcharged. I could see this merger being considered a monopoly if there was no other means to listen to streaming music, but that is not the case. The two companies; no matter how much stink the National Association for Broadcasters says they don't compete with satellite radio, are more marketing towards gaining consumers from the FM fan base rather than from each other.

I especially like the whole lobbying pay to play attitude. I've been reading articles that the NAB and other associations have

been speaking out against the proposed merger. Their attitude is that this would create a monopoly because the companies they represent don't compete with satellite radio. The question I would like to raise is that if they don't compete with satellite radio, why are they spending all this money to hire their smoking guns to speak out against the merger. I also find it interesting that they have been saying a result of the merger would be not in the best interest for the consumer and would actually hurt the consumer. Now, when they say consumer do they mean the person paying the monthly subscription, or do they mean the companies paying their salary. Because as a consumer, I don't feel that way at all. I think that Sirius and XM recognize that they have a tough market to compete in, and do not benefit from raising prices and lowering channel content. They're so convinced this merger is a good idea that on both of their websites they address these concerns to their customers. As a consumer of XM, that has never been let down, I give my trust in them, over the paid NAB speaking for the companies that say they don't compete with satellite radio, but show an overbearing interest in seeing the merger fail.

On a final note, Music Entertainment stretches far beyond the distinction between satellites, terrestrial, HD radio, and MP3 players. To group each one in its own industry and say they don't compete is crazy. The NAB and the companies they represent would rather see this merger fail because the merger of the two satellite companies would create a much more attractive product to compete with. As of now, they are watching two companies compete for the competition's consumers which are killing the company's profits. A failure of either company because of a non-merger would definitely not be in the best interest of the consumer, which is what the NAB would love to see.

I feel that the proposed merger between Sirius radio and XM radio would be in the best interest of the consumer. It is a luxury good competing with a free product like Terrestrial radio. They bear no benefit from overpricing the product. A market like this will create the pricing.

Like I stated earlier, the consumer bears no obligation to stay

with the company if they feel the prices are out of hand. As much as the NAB feels they speak for the consumer, we all know who is paying them and who they are really speaking for. To decide to not allow a merger of this nature would not only hurt a great idea in the eyes of music entertainment, but would show the public how the pay to play concept out ways anything in politics.

I look forward to the future of satellite radio and know you as the FCC will make the right decision for the benefit of the consumer and not the benefit of the competition.